SATURDAY, APRIL 28, 1904. Pair and warmer to-day; showers to-night and to-morrow.

NEW YORK. SATURDAY. APRIL 23, 1904. - Copyright, 1904, by The Sun Printing and Publishing Association

# HOT ATTACK ON ROOSEVELT.

HOUSE ENTERTAINED BY NORTH CAROLINA GONGRESSMAN.

He Quotes Grosvenor Against Roosevelt and Roosevelt Against Grosvenor-8438 Roosevelt Not Only Indorsed but Advocated Lynching in His Writings.

WASHINGTON, April 22.-Representative Claude Kitchin, a young Democrat from North Carolina, gave the Republicans an unhappy hour in the House to-day and got a big rise out of the old Republican warhorse, Gen. Grosvenor, by a speech attacking the President, in which he quoted liberally from Mr. Grosvenor's published opinions of Roosevelt in the New York Journal in 1900. He also read extracts from the President's own publications showing that Roosevelt had not only upheld but advocated lynching. He also quoted from Mr. Roosevelt's writings when Civil Service Commissioner, wherein he spoke with disparagement of Gen. Grosvenor, calling him by name.

The speech was listened to with marked attention on both sides, and, while th Democrats frequently applauded, the Republicans actually got mad as Mr. Kitchin. with extreme good nature, showed why it was that Roosevelt is the man "everybody is for, yet nobody wants." Gen Grosvenor was visibly nettled and rattled by Mr. Kitchin's remarks concerning himself and the President, and made a spirited

The Alaska delegate bill was under consideration when Mr. Kitchin got the floor. He began by referring to the manner in which the Republicans were indorsing and standing by Roosevelt. They had not always held such high opinions of him as they now professed. He would prove, he said, that Roosevelt was distasteful to them by no less a distinguished statesman than Gen. Grosvenor, now his chief champion on the floor of the House, and who had been kind enough to insert the President's speech setting forth his labor record in the Congressional Record as his own.

'It might surprise some," Mr. Kitchin "to learn that Gen. Grosvenor had once been a reporter for the New York Journal." He quoted from Gen. Grosvenor's correspondence to the Journal from the Philadelphia convention, wherein he had charged that the Quay and Platt combination was endeavoring "to dump him (Roosevelt) upon the Presidential ticket for their own sordid purposes," and that Quay and his coadjutors sought to "force McKinley to accept as running mate one who was distasteful to him," and that it was done for the purpose of "humiliating" the Administration. Mr. Kitchin quoted other instances where Grosvenor had disapproved of Roosevelt and said he quite agreed with

Proceeding and now and then referring to Gen. Grosvenor, Mr. Kitchin entered upon a soathing arraignment of the President and said that he wished to enter his solemn protest against the manner in which the ans were desecrating the memory of McKinley by comparing Roosevelt with him and saying that he had ably filled his

As well could the anthill take the place of the mountain," said Mr. Kitchin, "as well could the minnow take the place of the whale, as well could the lamplight take the place of the noonday sun, as could Theodore Roosevelt take the place of William McKinley."

Mr. Kitchin declared that Roosevelt than horse stealing. Supporting that statement he read from "The Winning of the West," where Roosevelt, in speaking with commendation of the work of vigilantes, said that they operated "not always with the best judgment," and from the life of Oliver Cromwell, where he said: "In many cases of lynch law which have come to my knowledge the effect has been healthy," and another place where he said in speaking of lynchings by cowboys for the crime of horse stealing, that "great good" had resulted. No Republican, exclaimed Mr. Kitchin, has any right to condemn the South for inflicting this sort of punishment upon brutes who commit the nameless crime until after they have at

convention or at the polls. Continuing, Mr. Kitchin referred to the President as "this lawless spirited man" whom the Republicans sought to continue in the White House, and, after quoting from Roosevelt's attacks upon his predecessors in his published works, characterized him as "the relentless blackguard of the Presidents of the nation." He quoted Roose velt's speech, alleged to have been delivered in Syracuse in 1899, as speaking of Congress

least burned the books of Theodore Roose-

velt or repudiated him in their nominating

as a "horde of cattle." "He not only denounced you as cattle," said Mr. Kitchin, "but when he reaches the White House, he treats you like cattle: and you have allowed him to do it. He regards you as his 'round-up,' and he imagines that he is still upon his Elkhorn ranch in Montana. Any man who has such contempt for the executive branch of the Government is unfit to be its executive

head." Mr. Kitchin quoted from Roosevelt's writings when Civil Service Commissioner, where he had spoken of Grosvenor and others as "champions of foul government and dishonest politicians," because they fought the Civil Service system, and further where he said "these men have a knack office mongering, just as some other en have a knack for picking people's Dockets.

Gen. Grosvenor was livid with anger when he arose to reply. It was not important, he said, what he had thought or written four years ago. The Democrats who were now shedding crocodile tears over McKinley's grave were denouncing him with the bitterest words at their command four years ago. It is true, he said, that he had opposed the nominating of Roosevelt for Vice-President; he favored Polliver. It was true also that he had written for the New York Journal, "an enterprising newspaper, whose editor and owner s being hounded from one end of the coun-'ry to the other by every barking Democrat who denounces a man who is not afraid to speak his mind on the stump or in a news-

paper." [Republican applause.] Gen. Grosvenor said he wrote and published the proper opinion at that time, and he had nothing to retract or apologize It was then generally believed that eading Republicans of New York were urging the nomination of Roosevelt because here was doubt of his reelection as Gov-

ernor, at least it was thought he was not the strongest candidate.

Mr. Grosvenor said he could not be hu miliated by having repeated what he had said. He stood by it. He also stood where he had always stood on civil service and contrary to what were then the opinions of Roosevelt.

He denied that he had ever said that Roosevelt was distasteful to him. Four years had brought out the man, had developed his character, and the people believed in his earnestness and his integrity. He might have said some things in years gone by which his friends would not now have him repeat, but there never was a man more amenable to public sentiment and advice than Roosevelt. He had fulfilled his pledge to carry out the policy of McKinley, and by so doing had averted a panic. Times and conditions have changed in four years, said Mr. Grosvenor, and the stone which the builders tried to reject had now become the head of the Republican party.

#### ELBRIDGE GERRY SNOW WED? Got a Marriage License in Philadelphia

to Marry Mrs. Marie A. Hoppe. PHILADELPHIA, April 22.—Elbridge Gerry Snow, Jr., obtained a license to-day to wed Marie Antoinette Hoppe. Accompanied by a lawyer Mr. Snow appeared at the marriage license bureau in the City Hall about noon. After securing the license he hurried away, probably to join Mrs. Hoppe, who was also in the city. It is generally believed that they were married this afternoon.

The couple surrounded their brief stay in this city with mystery. They carefully concealed their whereabouts, and after Mr. Snow left the City Hall all trace of him was lost. Neither his nor Mrs. Hoppe's name appeared on the register of any of the hotels and a tour of the fashionable apartment houses failed to discover them. It they were married none of the clergymen had up to a late hour to-night filed a record of the wedding.

In applying for the license Snow said he was 37 years old and lived at 155 West Fifty-eighth street, New York. He gave insurance as his business. In his affidavit he also declared that Mrs. Hoppe was not the corespondent named in the divorce proceedings instituted by his former wife, Fannie P. Snow.

Leading up to the application for the marriage license is a sensational romance in which both were involved in divorce suits which were decided during the past week by the New York Supreme Court

#### JIM HOWARD LOSES APPEAL. Sentence for Goebel Murderer Life Affirmed for the Third Time.

LOUISVILLE, Kv., April 22 .- For the third time the Court of Appeals has passed upon the case of James Howard, who was convicted of the murder of William Goebel. The last verdict is an affirmation of the life sentence of the lower court. The seven Judges are agreed upon the main points in the opinion by Judge Settle, but the two Republican Judges dissent from the adion of the testimony of Jones and Cecil, two members of the alleged mountain army which invaded Frankfort just before

the murder. Howard, who, with Caleb Powers, is in the Louisville jall, received the verdict with his usual stoicism. He said that his lawyers had a plan to get the case before the Supreme Court of the United States and he hoped to be able to raise money enough to carry it there. He still insists that he has been persecuted.

The present term of the Court of Appeals had not only indorsed lynchings, but he | will also pass upon the third appeal of former had advocated such lawlessness, and that, Secretary of State Caleb Powers, who also too, as a punishment for no greater crime is in the Louisville jail, and who was sentenced to death.

# GOT DRUNK ON JAMAICA GINGER.

Grocer Who Sold It to Thirsty Vermont Tippiers Convicted Under License Law.

RUTLAND, Vt., April 22.-The excessive drinking of Jamaica ginger, which has been going on for many years in the little town of West Rutland, has been effectually broken up by the conviction to-day of Herman Krinsky, who kept a grocery store and supplied the inhabitants of the town with their beverage.

Krinsky was convicted under the new Vermont high license law, it having been found that the ginger which he sold contained 50 per cent. of alcohol. He had plied his trade for many years without molestation under the old prohibition

There have been many arrests for drunkenness of late where the men obtained their jags entirely on Jamaica ginger. Hereafter the liquid will be sold only by licensed saloon keepers.

# KILLED BY MOONSHINERS.

Alleged Informer Was Fired Upon From Ambush-Young Daughter Killed, Too. RICHMOND, Va., April 22.—Shot to death, the bodies of James Nowlin and his little daughter were found in the road not far from Rocky Mount, Franklin county,

to-day.

Nowlin was a resident of a mountainous section in which illicit stills abound. A few days ago he was arrested for assault and taken to Endicott. He obtained bail and started for home, his daughter who refused to be parted from her father when he was arrested, riding on the saddle in front of him. Evidently he was fired upon from a thick woods. The body of the child was in the arms of her father, who had attempted to protect her.

Nowlin was considered an "informer" by the moonshiners, and it is said that such men are always killed sooner or later.

### FORSTER CHILD IN INCUBATOR. Little One Is Great-Granddaughter of

Missouri's Second Governor. Sr. Louis, April 22.-Marjorie Elizabeth Forster, a great-grandchild of John Miller, the second Governor of Missouri, lives in an incubator and promises to develop into a healthy child of normal size.

Her father, Dr. David Forster, has four of his medical friends to advise him about her case. Two trained nurses who have had experience in caring for incubator babies take turns in watching over the

little one. Marjorie's twin brother lived only a few hours after his birth, but the girl is considerably stronger than he was.

Ferced to Pay for Pre-Nuptial Jewels. NEW HAVEN, April 22 .- State Senator Sturgis Whitlock, who is president of the Connecticut Baseball League, was ordered this afternoon to pay the claim of a local jewelry firm, amounting to about \$1,000, for jewelry purchased by his wife just before they were married.

# PRIMA DONNA'S LOVE LETTERS

FOUR OF NORDICA'S GIVEN OUT BY DOEHME "FOR VINDICATION."

They Tell Him Not to Flirt Too Much and Thank God "For You, My Good Angel" -Statistics of Family Expenses An-

nexed-Nordiea's Counsel Surprised.

Herr Zoltan Doehme, stung by the publication of Mme. Nordica's letter to him breaking off their marital relations and telling the extent of his financial debt to her. retaliated yesterday by giving out for publication a typewritten statement setting forth in detail receipts and expenditures of the Doehme-Nordica menage for eight years and including several of his wife's

love letters to him. "The figures," says Herr Doehme, "speak for themselves and effectually disprove the insinuations that I was the 'mere husband of a prima donna.

With this the husband discloses four letters from Mme. Nordica, written during January and March, 1903.

"To bear out my statement that to my efforts, instruction and the perfecting of her musical education my wife owed me some measure of gratitude for her artistic triumphs in recent years," he says, "I append herewith the following evidence in her own words and in her own handwriting: Jan. 5, 1903.

I had a great triumph last night and I see now really what a progress I have really made. Oh, Zol, you are great. You can be proud of your pupil. I only wish you were

THE COLLINGWOOD HOTEL.

here to sing with me, then all would be com-Jan. 16, 1903. THE COLLINGWOOD HOTEL.

I love you, I adore you, that is always the same old story. I count every day bringing me nearer to you, my own sweetheart. The more I see of others, the more I love you.

my angel, and only live for you, and I just hate this long separation. I am dying to hear of your studies and voice. Your adoring LILUS. child and wife. March 2, 1903. Don't come over to join on the tour as you intend, it would be too hot and the car too crowded, but soon I will be over on the other side; it is only some weeks. I thank God day and night that he gave me you, my good angel, who was sent to me from God

himself.

Everything I possess, everything

I have achieved, I owe to you. Without you I had been a "ausgespieltes Welb." Don't THE COLLINGWOOD HOTEL. Taking the villa near Munich is a good idea, as I must settle down in the country The summer will be lovely and we will love all over again and be like lovers of yore, my own dear husband, you lover of my soul and heart—the keeper of me-my all. God bless you is my wish. God grant this, my true prayer. Your adoring wife

"The inaccurate and dishonoring statements made broadcast by my wife's attorney to raise prejudice against me, says Doehme, "compel me to set forth these facts in sheer self-defence. With these figures and letters, let the public judge for itself.'

Herr Doehme's statement begins with the assertion that in controversion of "the serious and unfounded reflections of a financial character" upon him (contained in the letter from Mme. Nordica included in her counsel's affidavit), he deems it proper to give "certain details putting matters in their true light, thus making the first public statement I have given out since these unfortunate proceedings began." The statement continues

It is true that since our marriage I have had paid to me as representing my wife's earnings the sum of \$272,000. Mr. Soley, Mme. Nordica's counsel, speaking in round figures, afford, if necessary, to accept even these latter figures as correct, in view of the ac counting I am able to give. This accounting

is as follows: Since the marriage, as shown by receipts. checks and other vouchers in my possession have paid out to her, or for her account, the following sums:

Living expenses, including hotels and travelling expenses and sundry accounts,

ressmaker's bills in Paris, including cos-80.000 Salaries and allowances to dependents . life insurance (endowment) ... gers for cancelling contracts ...... 6,000

\$266.800 The excess sum I invested in stocks and bonds, which were deposited in a safety in the Bank of New Amsterdam, to which my wife and I each had a key. This excess took possession of before my arrival here in November last, when I came in consequence of the legal proceedings instituted by her. In January of this year I went over my accounts with Mr. Soley, her attorney, and the account was then found by him to be as follows:

Nordica-Doehme from vault. Paid to Mme. N.-D. on my order to Strong, Sturgis & Co. in January, 1901 .. 20.000

Total received by Mme. Nordica - Doehme. \$336,800 Thus, according to my figures, my wife received from me \$64,300 more than she paid nto my hands, and taking her own figures and those of Mr. Soley, \$36,300 more than was

received by me from her. The moneys I thus expended upon the maintenance of my wife during our union were made by me in successful business ventures and speculative transactions, as I have had a thorough business training and am regarded as a conservative and experienced

business man. He appends a letter from Strong, Sturgis & Co., his brokers, attesting the success business ventures engaged in through that firm; also a letter from Mr. Soley to Edward Lauterbach, Herr Doehme's counsel at the beginning of the divorce proceedings, acknowledging the correctness of his accounting of his wife's funds. This letter had been included in Mr. Soley's

In conclusion the tenor says: "I may add that I reopened these divorce pro-ceedings simply for the sake of vindica-tion."

George C. Hastings, Herr Doehme's ounsel, refused to discuss his client's case ounsel, refused to discuss his client's case
or the statement given out by him. At
the Hotel Cambridge Herr Doehme refused
to see reporters. The statement was
handed out by proxy.

James R. Soley looked surprised when

James R. Soley looked surprised when he heard of the tenor's open letter. Then

#### "I have no reply to make." \$12,500 Verdict for ex-Alderman.

Ex-Alderman Robert Hall got a verdict or \$12,500 yesterday at the hands of a Supreme Court jury, in his suit against the Metropolitan Street Railroad. The suit was tried five times before and resulted in a disagreement each time. A carriage in which Mr. Hall and his wife were riding in the fall of 1899, was in collision with a Madison avenue car at Sixty-second street

#### H. ISELIN ARRESTED IN PARIS. Member of New York Family Accused in Connection With a Bank Faflure.

Special Cable Despatch to THE SUN. PARIS, April 23.-Henry Iselin, a member of the New York family of that name was arrested to-day in connection with the failure of the Banque Generale de Crédit Mobilier et Industriel.

Mr. Iselin's arrest was brought about through the investigation of the books of the Crédit Mobilier institution.

The authorities say that the relations of the Société Genéral de Banque, of which Mr. Iselin is a director, with the Credit Mobilier, were such as to warrant the arrest of Mr. Iselin.

The French authorities assert that Mr. Iselin is not under arrest, but simply "detained." Nevertheless, he has been measured by the Bertillon system and treated as an ordinary prisoner. Mr. Iselin's predicament has caused

a sensation in the American colony, but so far the American Consul has been unable to obtain his release. Mr. Iselin protested against his arrest, but Judge Bair, before whom he was arraigned, ordered his detention on the charge of fraud.

Mr. Iselin is a member of the New York family, but he has not lived here for twenty years. He is a second cousin of Adrian Iselin, Jr., the banker. The relatives of Mr. Iselin here got word from Paris of his arrest, but received no particulars.

#### PANAMA CANAL TRANSFER. Papers Glving Us the French Company's Property Will Be Ratified To-day.

Special Cable Despatch to THE SUN. PARIS, April 22 .- Messrs. Day and Russell, the American representatives, announce that the papers transferring the rights and properties of the Panama Canal Company to the United States have been executed and delivered.

They will be ratified to-morrow at a meeting of the stockholders. They include a general conveyance, provisions for the deeds and their registration in the Republic of Panama and in the Canal zone now under American jurisdiction.

All the formalities of the local law of the Isthmus are arranged for. The property will be delivered shortly. When this is done the purchase price will be paid. The text of the principal documents will be published to-morrow. The United States will get an unencumbered title.

#### TROOPS TO RUN TRAINS. Hungarian Reserves Called Out to Take

Strikers' Places. Special Cable Despatch to THE SUN.
VIENNA, April 22.—The strike of the Hungarian State railway employees continues, with no sign of either side reced-

ing. Owing to the trouble, the Emperor's

proposed journey to Budapest has been Excesses are being committed in all parts of the country. Trains have been plundered, telegraph lines out and rails

Three hundred poor people who have been stranded at an isolated station for three days are sleeping in the derelict train. They are suffering severely from the scarcity of food. Many similiar cases are re-

ported. It is feared that the 35,000 employees of he Government railway works will join the strike.

A royal order was issued at Budapes this evening calling out the army reserves who are in the employ of the Hungarian State railways. They will be employed in working the lines.

#### JUDGE PARKER IN BUFFALO. Makes a Twenty Minute Speech at the Dinner of the Lawyers' Club.

BUFFALO, April 22.-Judge Alton B. Parker spoke to-night at a dinner of the Lawyers' Club at the Hotel Genesee. The speech lasted twenty minutes and had no political flavor. Judge Parker's subject was "Is the Court of Appeals Accomplishing All the Jurisprudence of the State of New York Taat it Ought to Accomplish?"

He said that he saw no reason why the decisions of the Appellate Division should not be final in a great many cases. It would require only two amendments to the Constitution to declare against appeals to the highest State court as a matter of

"But when an appeal is allowed," said Judge Parker, "every question in the record of the case should come to the higher court." He suggested that lawyers' associations throughout the State should try to bring about Constitutional amend-

# MAY BE CAMPBELL AGAIN.

Indications Are That He's Willing and Will Head Hill's State Committee.

The new Democratic State committee will meet for organization in Albany on April 30, at noon. At that meeting the chairmanship of the committee will be settled. Present indications are that the choice will lie between Frank Campbell of Rath and Melvin Z. Haven of Syracuse. who has taken the place of John Dunfe as the committeeman from the Thirtysixth district.

On the question of his reelection Mr Campbell has been vacillating more or less. In the convention at Albany he told his friends that he wouldn't take the chairmanship again. Later he retracted and let it be known that he would be ready to continue.

As between Mr. Campbell and Mr. Haven the majority of the committee will be in favor of Mr. Campbell.

#### HIS 24 CHILDREN STARVING. Pitiable Condition of a Family Withou Race Suicidal Tendency.

SPRINGFIELD, Ohio, April 22.-Alexander Harding applied to the superintendent of the poor to-day for relief. When an inspector visited the Harding home he found wenty-four barefooted children, besider the husband and wife, destitute. All have been begging for a living during the winter, and the neighbors say that a number of the children travelled for miles

barefooted in a half clad condition, begging for something to eat.

Harding will be provided with work by the county and the children will be cared for

# MAYOR SIGNS THE REMSEN BILL

NOW THE GOVERNOR, THREATEN. ING A VETO, GETS IT.

He Said Significantly That He Wanted McClellan to Pass on It First-Mayor's Memorandum Says He Sees No Grab and Some Good in the Measure.

Mayor McClellan signed the Remsen East River Gas bill yesterday. Since the bill was received by the Mayor, and since the largely attended public hearing he held on it last Saturday, there has been a grea deal of speculation as to what action the Mayor would take on the measure. At that hearing it was urged by the friends of the bill that its only purpose was to enable the Consolidated Gas Company to centralize its plants in Astoria, thereby doing away with the gasometers in this city The opponents of the bill have asserted that it is nothing more than a "grab."

Since the bill came to him great pressur has been exerted on the Mayor. He has been threatened and persuaded by turns. It has been put up to the Mayor that if he signed the bill he would incur so much public execration that his prospects of reaching higher public office would be seriously endangered. On the other hand the friends of the bill have impressed on the Mayor the assertion that the bill does not give to the company any more rights than the company now possesses and merely ratifies privileges now owned by

the company. The hill will not become a law until it been vetoed by the Mayor it would have been dead, but now the Governor will have a chance at it. Reports have come from Albany that the Governor intends to veto the bill. In view of this report some significance is attached to an interview the Govin which he said that the bill was practically a general one and that he had not been compelled to send it to the Mayor, but preferred to have the Mayor pass an opinior on it before acting on the measure him-

proval of the measure the Mayor wrote:

Before this measure came into my hands I shared the opinion of many persons that some way contrary to public interests, but after hearing argument for and against it, and carefully examining its provisions, I am convinced that this opinion was unwarranted. It was suggested on argument that there might be concealed in the bill some danger to the city's rights but no one pointed out such a danger, and I have been unable to find ground for the suspicion. More specific and substantial objection, therefore, must be advanced to justify rejection of the bill.

It has been urged that the measure is improper because it makes no provision compensation to the city as a consideration for my approval of it, but this suggestion ed that it confers upon the company rights or privileges which it does not now possess. This I find is not the case, and the bill has no other purpose or effect than to confirm rights which were validly conferred by the Legislature of 1871 and 1892. Sir the city yields nothing, no payment may be

justly exacted for my approval. Nor does it offend against the theory of home rule that the Legislature, instead of the local authorities, has acted in the matter. The rights were created originally by the Legislature, and the Legislature is the only power which can confirm them.

However opinions may differ as to the wisdom of granting the rights conveyed in 1871 and 1892, they are now find no reason to disagree with the opinions of the Corporation Counsel and the eminent legal experts, John E. Parsons, James C Wheeler H. Peckham, that this is but a confirmation of the rights, nor can I discorn that the effect of the measure is more extensive than its language discloses. Under these conditions the city parts with

no interest by this bill, but it is promised that in the event of its becoming a law the manufacture of gas will gradually be discontinued in Manhattan, and the several plants now operated here transferred to Queens. Apart from removing a serious menace to the public health in several congested centres of population, such action would leave many extensive pieces of land which could be acquired for needed public improvement, or devoted to wholesome

dwellings now so much in demand. A somewhat similar bill was passed last year, but failed of approval by my predecessor, primarily because it attempted to confer on the company electrical franchises not a part of the original rights; but the present measure expressly removes such an objection by declaring "that no electrical franchises are by this section conferred upon the said company.

The bill retains the provision which requires annually the payment to the city of 3 per cent, of its gross receipts in the territory formerly comprised in Long Island City I cannot see how I can do otherwise than approve this bill. The opposition to the bill, it seems to me, is based upon a misapprehension as to the facts. While such opposition is a most wholesome and desirable thing, evidencing, as it does, a jealous care for the welfare of the local community, it must, of course, be limited to statements fact where an infringement of the rights of the local community is threatened.

#### SUES M'AVOY FOR \$50,000. Dooley Says That the Deputy Commit sioner Called Him a Burglar.

statement made last fall by Deputy Police Commissioner McAvoy that John J. Dooley was a burglar is the basis of a suit brought by Mr. Dooley against Mr. McAvov for \$50,000 damages. Papers in the suit were served on Mr. McAvoy at Police Headquarters yesterday by Isaao Weill, counsel for Mr. Dooley.

Dooley and McAvoy fought for the Tammany leadership of the Twenty-first Assembly district last fall, and McAvov. whom Dooley tried to depose, won out. In the fight McAvoy asserted that in 1882 Dooley robbed the residence of a Dr. Sprague; that he was indicted for the offence, fled from the city, and that the indictment is still in existence. Dooley, in his suit, says that McAvoy knew this statement to be false.

"McAvoy's accusations have hurt me in my business," Mr. Dooley said last night, and I will get restitution. Some people have thought I was guilty because I have remained silent so long, but I preferred to do things in my own way and wait until I could give plenty of attention to the suit. will get after McAvoy's scalp now."

"What I said about Dooley is true, and I will prove it when the time comes," was all Mr. McAvoy would say.

LACONIA, N. H., April 22 .- Former President Cleveland and his family will spend a portion of the coming summer at Sandwich, and there is a probability that the family may establish a permanent summer home in that town. He has rented the Schuyler Bennett farm.

### CULLINAN ACCUSED.

Formal Charges of Neglect Preferred Against Him to Gov. Odell.

Charles F. Taylor, the president of the Law Enforcement Society, 560 East Ninth street, Brooklyn, has made charges to Gov. Odell against Patrick W. Cullinan, State Commissioner of Excise, for neglect of duty.

The Commissioner, Taylor says, has failed to prosecute actions to forfeit bonds in liquor tax cases to which his attention has been called.

He has also encouraged crime by retaining evidence of violations of law before suits were brought. He accuses Mr. Cullinan also of so conducting the affairs of his office that new excise certificates are granted to which they are not entitled, because their certificates for the last year have been revoked.

Taylor accuses Commissioner Cullinan of protecting certain bond companies by failure to bring suits for forfeiture of bonds in well known cases of violations of law.

These charges are followed by a long list of specifications.

#### KILLED WHILE SAVING HER DOG. Ten-Year-Old Girl Is Struck by a Trolley Car in Front of Her Home.

Elsie Endrich, 10 years old, was run over and killed by a trolley car in front of her home, at Southern Boulevard and 149th thirty-two men went there in three boats. street, last evening. The little girl was The enemy, however, discovered them and has been signed by the Governor. Had it | romping in the street with a big Newfoundland dog, a pet in the Endrich household.

The dog ran out to the middle of the boulevard and was standing on the car tracks barking, when the girl noticed a northbound car approaching rapidly. She ran ernor gave at Old Point Comfort yesterday, to rescue the dog and was struck by the car. The dog escaped injury.

An ambulance was summoned from the Lebanon Hospital, and the child died soon after being taken there. George Bassler, the motorman, was arrested. Coroner In a memorandum accompanying his ap- Berry later paroled him in the custody of the railway superintendent.

#### HER AUTO HURTS A BOY. Actress in the "Wizard of Oz" Offers Ball for Her Brother.

Henry Kopke, 15 years old, of 327 Central Park West was run down by an automobile at Sixtieth street and Central Park West last night. The auto was driven by Daniel Fitzhugh, 17 years old, of 149 West Sixty-first street. Kopke, who was injured internally, was taken to Roosevelt Hospital. Fitzhugh was locked up in the

West Sixty-eighth street station. Anna Fitzhugh, who is a member of the "Wizard of Oz" company and stops at the Ansonia, came to the station to bail

her brother. "I own two automobiles," she said, "the one my brother was in and another. I offer them both for bail for my brother." The sergeant said he was sorry, but he could not take bail, as the boy's injuries

#### were serious. LAURA BIGGAR DYING?

John W. McConnell Starts for This City on

Receipt of Message That She Is Ill. KENOSHA, Wis., April 22.-John W. McConnell, an actor, who came to this city to play a part with the William Owen company, has received word tha this former at her home in New York. He left here

this evening for that city. nearly all her property is left to him. It is stated that Miss Biggar has placed a fortune of \$800,000 at the command of Mr. McConnell in order that their only child may be properly reared in case of her death.

# THEATRE FOR LEW FIELDS.

To Be Built in Forty-third Street-Weber to Keep the Music Hall.

The report that Weber and Fields are to part at the end of the season was practically confirmed yesterday when Lew Fields came over from Boston and held a conference with three men who are to build a theatre for him.

Fields's backers are Nathan Stein, Louis Beers and Charles Reinhard, and the theatre is to be at Broadway and Forty-third street. The property has been bought and the plans will be filed on Monday, according to an announcement made last night. Fields will have a conference with the trio behind him on Monday, when their plans will be

finally settled. It is understood that J. Weber will keep the music hall, and it is said that Sam Bernard may be his partner.

#### DEPEW SEVENTY YEARS YOUNG. The Senator Celebrates His Birthday by a Dinner and Reception.

WASHINGTON, April 22. - Senator Chauncey M. Depew's seventieth birthday was celebrated to-night by a dinner at the Cochran House, followed by a reception from 10 to 12. The dinner guests were the French Ambassador and Mme. Jusserand, the British Ambassador and Lady Durand, Secretary of War Taft, Secretary of the Navy Moody, Secretary of the Interior and Mrs. Hitchcock, Senator and Miss Perkins. Representative and Mrs. Kirk Porter, Representative Bourke Cockran, Mr. and Mrs. Wayne MacVeagh, Mr. and Mrs. Boardman, Mr. and Mrs. Harry Morgan, Miss Hegeman, Miss Jones, Miss Squires Miss Anna Depew Paulding, Miss Patten

and Chauncey M. Depew, Jr. The guests at the reception included members of the New York delegation and a large representation from official, Congressional and resident society.

# UNDER M'ADOO'S EYES.

Cop Thrown From His Horse, Which Had Been Scared by Commissioner's Auto. While Police Commissioner McAdoo was making his inspection of Ridgewood vesterday to satisfy himself that there was no

objection to Sunday baseball in the district,

met two mounted policemen, McCauley

and Friese, on the Fresh Pond road. He was in an automobile. McCauley's horse was scared by the puffing automobile and bolted. The police-Cleveland to Summer in New Hampshire. man was thrown to the ground and stunned, but he sprang to his feet before the Com-

missioner, who jumped out of the automobile, could help him.

The horse dashed down the road, but was caught by Friese. McCauley's wrist was sprained and the Commissioner sent him home.

# RUSSIAN LAUNCH BLOWN UP.

PRICE TWO CENTS.

TWENTY-ONE KILLED LAYING MINES AT PORT ARTHUR.

Viceroy Alexieff Also Reports the Loss of Three Men in a Skirmish at the Yalu

-Rumors of Severe Fighting There -Japanese Transports Off Takushan

Special Cable Despatches to THE SUN. St. Petersburg, April 22. - Admiral Alexieff reports that while some steam launches were placing mines at Port Arthur one of the mines exploded prematurely beneath the stern of one of the launch A lieutenant and twenty men were killed. In another despatch addressed to the Czar Admiral Alexieff states that a series of reconnoissances along the Yalu River has shown that the Japanese are concentrating. About one division is north of Wifu.

They are also beginning to concentrate in

Wiju, whence they have removed the Corean

inhabitants. Admiral Alexieff adds: "I am informed that quantities of material, apparently parts of pontoon bridges are being collected opposite Mabikho Island. Our scouts have killed two Japanese scouts, one of whom was apparently an officer. Our scouts have daringly reconnoitred for several days. Our right flank on the left bank of the Yalu has ascertained that only a few Japanese are south

of the Pomakua River. These were occupied in preparing boats. A Russian detachment of two officers and shots were exchanged. Three of our riflemen were killed. A captain and eleven men were severely and a lieutenant and four men slightly wounded. The detachment returned under cover of two guns."

The lights of Japanese ships have been seen in the neighborhood of Takushan for several nights. An attempt to land there is expected. It is believed that the Japanese intended to make an earlier landing, but were delayed by bad weather. which would have imperilled the small craft in which the Japanese have to cross miles of shallow water. A naval attaché here who is familiar with the coast save that a battalion ashore with rapid fire guns could repel an army corps, as warships would not be able to get near enough to protect the troops in landing:

A despatch from Port Arthur says that a force of 1,500 Japanese has been defeated in an engagement on the Yalu River.

Paris, April 22.—The Journal says that Gen. Kouropatkin has telegraphed to the Czar that he has decided to take the offensive, considering the force now at his disposal sufficient. He says he will leave nothing to chance. He therefore gave

orders yesterday to advance a brigade of

infantry, supported by a strong force of

Cossacks. Five thousand Cossacks are

also advancing in northeastern Cores and are said to be seventy-five miles from the A despatch to the Temps from St. Peters burg says that the difficulties in conn with the purchase of three Argentine cruisers

appear to have been removed. One of

them, the Garibaldi, was built at Genos. SHANGHAI, April 22.-Reports from Chefoo and elsewhere indicate that the Russians in southern Manchuria are expecting an attack by the Japanese. Some reports state that hostilities on a large scale have

begun ashore. It is said that the Japanese have crossed the Yalu River, meeting with almost no opposition. None of the rumors can be verified but all point to a clash on land wife, Laura Biggar, is on her deathbed being imminent, if it has not already begun.

LONDON, April 23.-Reports from several sources lead to the expectation that news Miss Biggar has made a will by which ceived at any moment. The Seoul correspondent of the Chronicle bears out the statement of the St. Petersburg correspondent of THE SUN that heavy fighting has occurred on the Yalu River, the Seoul despatch adding that for strategic reasons it is impossible to send any particulars at present. Another Seoul despatch, dated April 19, says that the arrangements for concerted movements by the Japanese were to be completed on April 20, when there was to be a

simultaneous rush from three points. The second army is supposed to have sailed from Japan on April 16, probably for Port Arthur. Other troops will land at Takushan or Tatung, forming part of the general advance on Liaoyang. The Guards' Division, under Lieut.-Gen. Inouve, will be the first troops sent against the Russians

at Kuiliencheng. Supplies are being landed near Chulson, whence they are being forwarded to Wiju, which will be the future base in Corea Howitzers are being embarked at Chin-nampho, being evidently intended for the Port Arthur campaign. The Shanghai correspondent of the

landed west of the Yalu River. The Russians are concentrating at Fengwancheng. A hot engagement is expected. Nothing is certain regarding the move-ment of the Russian column in northeast Corea, except that it has burned the consulate, post office and other Japanese buildings at Songcheng. It is stated from Japa-

Standard says that the Japanese have

nese sources that afterward the Russians retired rapidly toward the Tumen River. A despatch to the Express from Chefoo says that the Japanese plan of attack is based upon a number of feints at several points on the western coast of the Liactung Peninsula, and another between the eas coast and the Yalu River, probably at

Takushan.

None of these will be really meant. The true descent will be on the shore of Talienwan Bay or one side of Kinchau Bay and the other where the isolation of Por Arthur can be most easily secured. The Chefoo correspondent of the Standard

reports an unconfirmed rumor that a large Japanese force is landing on the west coas of the Liaotung Peninsula, about thirty miles north of Port Arthur. Other reports state that twelve Japanese warships were sighted on Thursday night thirty miles southwest of the Clifford Islands, slowly making their way north

They showed no lights. Several Japanese

warships off Wei-hai-wei have stepped ingoing steamers. The number of floating mines between Port Arthur and Chefoo and Wei-hai-wei make manœuvring unsafe. Japanese tor-pedo boats are out searching for the mines to pick them up. In view of the extreme danger from the mines, marine insurance

JAPS HERE TO BUY HORSES. That's Their Story-More Important Errand. Other Folks Think

Two Japanese, who are very secretive about their mission, have been stepping